



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 08/837,459

Filing Date: April 18, 1997

First Named Inventor: Marian L. McKee

Group Art Unit: 1645

Examiner: V. Portner

Attorney Docket Number: 7787.0023-00

Attorney Customer Number: 22,852

Mail Stop RCE #

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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000); Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114:

a. ☒ Previously submitted

- i. ☒ Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on January 4, 2003.
- ii. ☐ Other _____

b. ☒ Enclosed:

- i. ☒ Amendment/Reply with Exhibits A-D
- ii. ☐ Affidavit(s)/Declaration(s) 08/05/2003 EFLORES 00000057 060916 08837459
- iii. ☐ Information Disclosure Statement 01 FC:2801 375.00 DA
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other _____

3. Fees

a. ☒ The filing fee is calculated as follows:

- i. ☒ Small Entity RCE fee required under 37 C.F.R. § 1.17(e), of \$375.00.
- ii. ☒ Small Entity two-month Extension of Time fee of \$205.00
- iii. ☐ Other _____

b. ☐ Check in the amount of \$____ enclosed.

c. ☒ The Commissioner is authorized to charge all required fees to enter this RCE, including any deficiencies above, or to credit any overpayments to Deposit Account No. 06-0916.

Signature of Applicant, Attorney, or Agent Required

Name: Elizabeth A. Doherty

Reg. No.: 50,894

Signature: *Elizabeth A. Doherty*

Date: August 4, 2003

Certificate of Mailing or Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, MAIL STOP RCE, P.O. Box 1450, Alexandria, VA. 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: [Date]

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AMDT
42/I Linda
8/27/03
PATENT

Customer No. 22,852
Attorney Docket No. 7787.0023-00
ATTN: BOX RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Marian L. McKee, et al.)
)
Application No.: 08/837,459)
)
Filed: April 18, 1997)
)
For: HISTIDINE-TAGGED INTIMIN)
AND METHODS OF USING)
INTIMIN TO STIMULATE AN)
IMMUNE RESPONSE AND)
AS AN ANTIGEN CARRIER WITH)
TARGETING CAPABILITY)

Group Art Unit: 1645
Office: V. Portner

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Commissioner for Patents
Washington, DC 20231

Sir:

AMENDMENT

Applicants hereby reply to the Advisory Action dated April 22, 2003, and the Final Office Action dated October 4, 2002, and present new claims 97-104, as shown in the list of claims beginning on the following page.

This Amendment is submitted with a Request for Continued Examination and a Petition for a One-Month Extension of Time. Fees for the new claims 97-104 were previously submitted with the Amendment filed January 4, 2003. Please grant any extensions of time required to enter this response and please charge all fees required to enter this response to our Deposit Account No. 06-0916.

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